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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CYBERGUN S.A., a French Corporation, and
FN HERSTAL, S.A., a Belgian Corporation,

Plaintiffs,

v.

JAG PRECISION, INC., a California
Corporation,

Defendant.

CASE NO. 2:12-cv-00074-KJD-GWF

JOINT STATUS REPORT

Pursuant to the Local Rules and the Court's Scheduling Order, Plaintiffs Cybergun S.A. and FN Herstal, S.A. (collectively "Plaintiffs") and Defendant Jag Precision ("Defendant") by and through their respective counsel, present the Court with the following status report given that the current discovery cutoff is set for December 3, 2012 and the Court requires a joint status report on the state of discovery sixty days prior to the discovery cutoff.

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1 Plaintiff commenced this action on January 17, 2012. At the same time it filed its
2 complaint, Plaintiffs filed a motion for temporary restraining order and for preliminary injunction
3 (Dkt. 5). After entering a Temporary Restraining Order, the Court later entered a Preliminary
4 Injunction against Defendant in connection with Plaintiffs' SCAR rifle design (Dkt. 26).

5 Thereafter, on February 28, 2012, Plaintiffs filed a second Motion for Preliminary
6 Injunction Regarding Defendant's Replicas of Plaintiffs' M249 and P90 Guns (Dkts. 33 & 34)
7 ("Second Motion for Preliminary Injunction"). After the Second Motion for Preliminary
8 Injunction was fully briefed, on July 11, 2012, the Court ordered both parties to address the
9 relevance of the recent Ninth Circuit *Secalt* decision (Dkt. 51). The parties completed their
10 supplemental briefing on August 7, 2012.

11 Now that the Second Motion for Preliminary Injunction has been supplementally briefed
12 per the Court's Order, the parties anticipate a ruling from the Court in due course. The parties
13 believe that the Court's ruling will narrow or refine the issues in the case. In addition, the parties
14 have engaged in settlement dialogue and believe that there is a reasonable chance that part or all of
15 the case could be resolved via settlement after the Court issues a ruling on Plaintiffs' Second
16 Motion for Preliminary Injunction.

17 Plaintiffs have served written discovery. Defendant has yet to answer that written
18 discovery, but has sought a thirty (30) day extension to respond, which Plaintiffs have granted.
19 Defendant will serve discovery on Plaintiffs within the next two weeks.

20 The parties believe that in view of the procedural history in this case, the need for
21 supplemental briefing on the Second Motion for Preliminary Injunction, and the timing of the
22 forthcoming order, an extension of all deadlines in the case of ninety (90) days is reasonable and
23 appropriate. This extension will likely give the parties sufficient time to receive, digest, and
24 analyze the Court's forthcoming order on Plaintiff's Second Motion for Preliminary Injunction and
25 efficiently conduct discovery on any remaining issues within the extended discovery schedule and
26 otherwise proceed to trial on any remaining issues in accordance with the Court's previous
27 schedule, extended by ninety (90) days.

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1 The parties will submit to the court a separate joint stipulation and order extending these
2 deadlines.

3 CYBERGUN S.A. and FN HERSTAL, S.A.

JAG PRECISION

4 By: 

By: 

5 Dated: 10/4/12

Dated: Oct. 4, 2012

6
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